

## **Asheville Downtown Commission**

### **DRAFT MINUTES**

**Regularly scheduled meeting date and time: June 8, 2007 at 8:30 am**

**Special location as advertised: Public Works Building Room A-101**

**161 S. Charlotte Street, Asheville**

**Members present:** Jan Davis, Julie Brandt, Jesse Plaster, Kitty Love, Brad Galbraith, Peter Alberice, Pat Whalen, Pam Myers, Guadalupe Chavarria, Dwight Butner

**Members absent:** John Rogers

**Staff present:** Bob Oast, Sam Powers, Ken Putnam, Stephanie Monson, Laura Turner, Janet Dack, Alan Glines, Jessica Leavengood, Nathaniel Wingfield

**Guests attending:** Marge Turcot, Tim Peck, Thom Robinson, Tom Abbott, Mitchell Sorin, Greg Taylor, James Voso, James Sheelor, Carol Pennell, Chris Pelly, Lana LaChere, Michael (last name illegible), John Cram, Betsey Rose Weiss, Loveeta Baker, Brian Postelle, Jennifer Cathey, Bill Bailey, Ellen Bailey, Mark Barrett, Bernie Byrne, Maura O. Evans, Ray Griffin, LR Karpen, Woody Kloesel, Elaine Lite, Peter Loewer, Mark Riley, Scott Riviere, Karen Tessier, Anne Craig.

**WELCOME:** Pat Whalen, the Chairman of the Downtown Commission, gave a brief history of the Commission and its role in downtown revitalization over the last twenty of so years.

He also gave an introduction of its current members, including each member's connection to Downtown Asheville.

There are several duties and responsibilities of the Commission, however at this meeting he would like to briefly outline the more salient points of Downtown Design Review: specifically he informed those attending that the Unified Development Ordinance for the City sets up legal requirements for any project, and that Design Review is based on guidelines that do not require mandatory compliance. The Commission has worked to get some of the most important guidelines codified last year and would do the same with other guidelines this coming year. The review is therefore not based on personal preferences, but ordinances and guidelines.

**APPROVAL OF MINUTES:** Brad Galbraith made a motion to approve the minutes of the May 2007 Downtown Commission meeting. Jesse Plaster seconded and they were approved unanimously.

## **DOWNTOWN DESIGN REVIEW**

### ***1. Zona Lofts- Formal Review***

#### **Project Presentation:**

Commission member Julie Brandt was recused from the review/discussion/vote, but will make a comment during public comment portion of the review.

Planner Jessica Levengood presented the staff report which noted that all UDO requirements had been met by the development team;  
As such, staff supports the project and recommends approval of the design.

Architect Bae-Won Koh of Innovative Design in Raleigh, North Carolina presented for the development team:

Project emphasizes affordable price points and green design.

107 of the units (approximate first 7 floors) in the project are aimed for a price point \$120,000 – \$200,000. There are 161 residential units total planned, with 54 parking spaces, 4 handicap accessible spaces, and although only 3 bicycle racks required, 7 are provided to encourage alternative modes of transportation. The architect handed out a sheet that detailed the green features of the project (on file at the Office of Economic Development) and discussed how some of them would work. He discussed how the building would work on the pedestrian level, specifically how the northern corner on Coxe Avenue had been opened up for pedestrian friendliness. He noted that he appreciated the comments that the Commission had given during the informal review and showed how he had taken them into consideration, including but not limited to the facade colors and articulation on the Coxe Avenue elevation, which now harmonizes more with the neighboring building. Materials samples are available.

**Comments and Questions from the Downtown Commission:**

Peter Alberice: to be clear on exterior materials, the 3 dimensional elevation presented today supercedes all previous designs, the base material is now brick – and is now a close match to Chrysler Bldg?

Development team: yes.

Jessie Plaster: excited about affordable units; applaud architect for that.

Dwight Butner: number of affordable units?

Development Team: affordable units will be approximately the 107 lower level units, from \$ 122,000 to \$200,000 per unit; Zona Lofts will be the lowest in market for square foot price. Upper floors will not be as affordable; around 47 units that will cost between \$250,000 & 450,000. There will be around 8 “penthouses” costing around \$750,000; the diversification of housing prices is to pay for the cost of the building.

Alberice: Commission would like to be very clear to public that in regards to the Downtown Design Review portion of this project’s development review, the height of the project is neither in conflict with the guidelines nor the UDO. He notes a real positive to this project is that it is providing a significant number of workforce housing units to the downtown market.

Pat Whalen: congratulated development team on considering Commissioner’s comments, especially calming down exterior design. He is concerned that the final colors would change from what was approved, and expressed that the work force housing component was very important to the appeal of this project. He reminded the development team that at 15 stories Zona Lofts would be much higher than most buildings on the street.

Commission members: would like to know that this is the final configuration of how vehicles would enter and exit the building?

Development team: Yes it is the final design but should note the change (from the elevation as shown) of the entrance/driveway being concrete not asphalt. There will be no curb/hindrance for pedestrians as the sidewalk must meet ADA requirements, the Driveway/entrance would be flush with sidewalk.

Commission member: has this configuration of 2-way traffic at the driveway for 150 plus units been examined by the City Traffic Engineer?

Development team: Yes, and has received no (objectionable) comments.

(Commission members asked for City Traffic Engineer to voice in on the configuration at this time)

Ken Putnam: Have looked at the two way traffic configuration, it meets UDO/standards. Driveway opening 20-24' wide; there may be some low visibility, because of zero set-back there could be a concern for anyone walking extremely close to the building (wall) on Coxe – the sightlines/visibility from egress (car) to such a pedestrian would be poor, however with the 10' wide sidewalk pedestrians would not likely be in that potentially dangerous zone (up against the building wall).

Pat Whalen: Hopes that the City via TRC/traffic engineering and Planning Department will be working with architects ensuring the safety of our pedestrian friendly downtown. What if there were some way of forcing pedestrians further out into the sidewalk, with planters or something to direct them?

Kitty Love: and could you accomplish the same thing with a triangular cut from the egress to the sidewalk (to increase sight triangle)

Ken Putnam: either would work.

Whalen: Commission members desire that their discussions/recommendations are incorporated into some kind of binding agreement with the developer, can the City Attorney comment?

Bob Oast: City Council has ability to with conditional use permit to specify recommendations of Downtown Commission as conditions if they so desire.

Dwight: There will be no protruding balconies? Wants assurance that this design is the final and no design showing protruding balconies will be presented to City Council?

Bob Oast: The design you vote on is the design that City Council votes on.

### **Public Comment:**

Julie Brandt: Explained that she was recused today because the (first design of the building) had already been formally approved when she joined the Downtown Commission; the design had changed meaning it would now come before her as a member yet she had already made a reservation for a unit. She is excited about workforce housing aspect and that these units will effectively be lived in year-round; brings a real sense of community vs. just second homes. The height is tall but can be viewed as vitalizing a part of City that is in need.

Elaine Lite: Is there any greenspace, landscaping?

Development team: Street trees on sidewalk are the extent of that.

Chris Pelly, East Asheville: will there be any restrictions of investors buying units vs. owner occupied?

Development team: no restrictions officially; however it is marketed “on the ground” through flyers and word of mouth in hopes of encouraging owner-occupied sales. All of the lower prices units are reserved, and there is a waiting list.

Guadalupe Chavarria (Downtown Commission member): are there restrictions as to whether or not affordable housing is being sold only to those eligible for affordable housing?

Development team: No.

### **Formal vote:**

Dwight Butner made a motion to approve the project as presented

Kitty Love seconded the motion: second

Further discussion: Brad Galbraith wanted to include Commissioners comments in the motion; The Commission agreed to amend the motion to include “The Downtown Commission approves the project with a strong recommendation to City Council that the workforce housing price points and all green features described in this review (on handout) are included and executed by the development team as part of the Conditional Use Permit.

Architect and Civil Engineer: continue look at making entrance on Coxe Ave safer

The Commission voted unanimously in the affirmative to the motion as amended by consensus.

## ***2. The Ellington- Formal Review***

### **Project Presentation:**

Motion approved to install Peter Alberice as acting Chairman for this design review.

Alan Glines reviewed the staff report and noted that this is a Level III project, requiring City Council approval. Details including any needs for flexible standards/modifications from UDO requirements are including in said report, which is attached.

Tom Abbott, the CFO for Grove Park Inn (GPI) , described the project concept. It includes 125 hotel rooms, with no retail component in the hotel; also the meeting space is less than 7500 feet, in other the retail spaces and meeting spaces that are available in downtown Asheville will be the amenities for the hotel. The GPI is providing means- via a shuttle between Grove Park Inn and the Ellington that will run 16 hours a day- for GPI guests to experience Asheville w/o parking, etc., for the guests of the GPI.

Abbott noted that the group is committed to assisting with the community’s need for work force housing via an innovative program managed by the Community Foundation of Western North Carolina. Covenants/deed restrictions on the sale of any of the condos will require a percentage of the sales to go into an affordable housing trust fund.

Members from the architect's development team

Noted that their concept for the design of this project includes excellent architecture, ability to contribute to downtown in positive way, to address work force housing, address the arts, address sustainable design and processes.

The team focused on areas of concern that the design review subcommittee had noted at the last informal meeting: the curb cut/entry on Biltmore, the inclusion of public art on the Aston and Lexington pedestrian levels, questions about balconies, and sustainable design elements of the project.

Curb cut/entry on Biltmore: This design/program for a hotel requires an automobile entry; traffic will only be one-way entering into project on Biltmore, and will exit onto Aston and Lexington; parking is dealt with quickly by valet to eliminate congestion; any residential (condos) automobile traffic will use Lexington Ave entrance and exit; The design has been maximized to keep Biltmore Ave pedestrian walk-way across the curb cut pedestrian friendly; development team wants to encourage pedestrian traffic/vitality on Biltmore, design celebrates the pedestrian level via: glass pylons, planters, lobby, open café, improved paving that will unify whole paving in front of project, a flush/level sidewalk, using only w/one-way traffic, an open view for cars to see them and for them to see cars

Arts Program: instead of just having art throughout interior, it will be featured on exterior as well. The team is looking into forming an Ellington Arts committee that works with local artists/arts community leaders to program the building.

Now a corner mosaic feature is proposed on Lexington/Aston, and another mosaic mural on Lexington side as well as having art vitrines set into the wall for pedestrian level building activation. The vitrines will be 5 ½ by 12' on the Lexington Side, Aston side will vary because of slope.

Balconies: no protruding balconies, all internal, seen as outdoor living rooms, building is stepped back as it goes up so the balconies are set back way back from property line.

Sustainable design issues: The team handed out a list of sustainable features.

#### **Commission questions and comments:**

Whalen asked the team to go through materials. Response: there is a lighter palate on building - in keeping with other buildings in Asheville- up through 9<sup>th</sup> floor, plaster to top, granite detailing in walkable surfaces, glass for pylons at front entrance, metal accents.

Only variance from material presented today would be final granite coloration (color varies due to natural variation)

Brandt questioned pedestrian safety and enjoyment along entrance on Biltmore Ave.

Response: there is a pedestrian entrance to hotel right through café from the street, and entering right into lobby. Opening beautified via glass pylons. Street level design open, permeable, translucent.

Butner questioned the designs validity as likely the hotel can't sell wine or alcohol in café area with proposed plan due to ABC/ALE laws.

Jessie: concerned with the small percentage of street frontage that is actually activated for pedestrians/vitrines etc. are still not true activated space; the amount that the sales fund will contribute to real affordable housing contributions is maybe 10 units, which is a very small contribution compared to Zona Lofts; green features of the project are underwhelming.

Response: Intent is to grow green features list. Regarding activating Lexington and Aston toughest goal was to incorporate parking , make it all internal, takes up quite a bit of space. Team feels like they improved Lexington.

Development team comment: Project Gross sf 355,000; \$85-90 million dollar construction costs at this point.

Myers: Elaborate on the operation of the shuttle- Where will it stop? Response: Would stop briefly on curb on Biltmore for drop-off and pick-up at Ellington. Will have a shuttle for employees too.

Chavarria: Questions art display on Lexington; will it be behind museum level/protective glass, and still very visible and well-lit ?. Is concerned that Biltmore is already congested, Lexington will become more of a main artery, wants to see Lexington become more pedestrian friendly. Response: yes to protective glass.

Love: wanted to clarify comments/suggestion she had for large public artwork on Lexington – she had something a lot more powerful in mind than mosaic mural as depicted. Hopes emphasis stays on local artists, not just laborers to set the tile; Is very concerned about traffic impact on Biltmore; Appreciates aesthetics of proposed building.

Galbraith: Likes efforts of team so far; likes the locale, the art experience for the pedestrian in mind, keep that local art; questions about possibility of greening the shuttle? Are you committed to using local trade laborers/construction crews? Response: Looking at CNG vehicle; 15 passenger, 2 or 3 shuttles to form continuous loop, but such vehicles difficult to come by right now. Commitment would be to use as much local as possible.

Butner: Curb cut on Biltmore Ave is an exception to the normal traffic patterns of that location – how will building handle receiving automobiles from the south which requires a left turn across traffic? Has Ken Putnam, City of Asheville Traffic Engineer, had an opportunity to address traffic coming from South, and turning left? Putnam : traffic impact study in the works; gathered all traffic counts, including pedestrian traffic from 7-9am and 4-6pm, it is a NCDOT/state maintained road meaning the ultimate decision on curb cut is by DOT.

More details are needed however there may be a determination made that no left turns are allowed into the hotel.

Butner: wants more details on work force housing program – what is the actual % of condo sales that goes in this fund? What about a % of room sales? Why did you choose Community Fdtn? Why do not take opportunity on Aston side to take retail opportunity?

Response: The terms would be 1.25% fixed over 75 years. No amount from room sales will be used. Steve McManus did research to determine how to best manage the fund, talked with a number of groups to see this was the best way to manage and potentially leverage the funds.

Retail space on Aston would be difficult because they are trying to capture all potential parking and leave on street spaces for others, they are only providing parking for 70% of room count which is a very low percentage to design for.

Pam: What about street trees?  
(no response recorded)

Butner: Knows you cant duplicate Ellington's architecture however this design doesn't "celebrate the top" as seen from the west, just ends in a box – needs improvement.

Response: West is longest façade of building, design did consider lightening top

Alberice: noted that there are no height limits in UDO or guidelines for downtown, the Commission has worked on this issue for years and come up with several ways to deal with it however there has been no consensus. The Commission knows that the community is also struggling to come to a consensus with appropriate height for such projects, however the Commission makes decisions based on the UDO and the Downtown Design Guidelines. Reminder to the public that the Commission's part of the process is still mandatory review, volunteer compliance. Decisions made by the Commission have to be fair, rational, quantifiable.

The commission hopes their initiative to move into Master Plan for Center City of Asheville will help address these issues more completely.

Work force housing is very important in our community, it is the key to people having equity and a chance at wealth building, commends Ellington team for addressing it through a constant flow of money for 75 years.

Would like to see retail on Lexington and Aston, please look for space in the design. This additional opportunity for local artists to show their work is very exciting; give careful consideration of how art program works, vs. a traditional retail opportunity.

Plaster: what is the circulation pattern on valets returning cars? Response: Many right turns, i.e. out Aston, right on Lexington, right on Patton, right on Biltmore, right into Ellington.

Brandt: Prices on the 48 condos Affordable housing contribution nebulous, does it also include the sale of the building itself? Price of a night in the hotel?

Why is building so tall? Will you incorporate water fountains? What will building signage be like? And the exterior lighting? Is concerned that traffic study has not been completed and that it seems there are still many unanswered questions.

Response: starting at \$600/ft , units starting at \$1.5 million. Housing trust fund will include percent from sale of the building itself. Rooms will be around \$300 a night. The project is as tall as it is because instead of having a shorter, squat building with the same overall square footage the designer pulled successive stories back from the property line, respecting not only pedestrian views by avoiding a cavern creating building, but also viewsheds surrounding downtown. Would like to do some water features, the preference for signage is something understated at the street level, elegant maybe on the pylons or near them. Exterior lights will be done to accentuate the architecture, wash the surface with light, accentuate it as a landmark on the skyline but minimize energy required to do so. There wont be any search lights or flashing lights involved.

Plaster: still very concerned about Lexington activation, still looks like a blank wall, may hinder holistic view of future Lexington Ave development; the Downtown Commission only has 11 requirements, this development is asking for 5 modifications. Great architecture; but need to push Greening/sustainability and affordable housing fund part of the project.

Myers: Applaud architects for their long term commitment to art; and their work force housing contribution. She supports smart, attractive density downtown ; shuttle will help with that. Likes that team is seeing downtown as an amenity to the visitor, and that the building is stepped back as it goes up. Design team should just keep in mind its an homage to Ellington, but not attempt to emulate, remember it is 2010, not 1920s

Chavarria: Likes the design of the building and the materials  
However team should re-address the Lexington and Aston pedestrian walk; please tackle one more time.

Love: Questioned about ownership of the café? Response: Operated by hotel, not chain.

Galbraith: Workforce housing program commitment is laudable, especially with a 75 year commitment.

Love indicated she would need to leave the meeting soon due to a prior commitment and to consider moving along.

### **Public input:**

Peter Loewer, lived here 18 years, served on tree commission 13 years:

Many concerns, especially traffic. If 50 – 75 people are in the condos, plus 3 staff shifts per day for hotel, 100-300 people means anywhere from 300 – 800 w/ automobiles, plus the disruption of local traffic for 2 years during construction.

Brenda McCauley, resident, future business owner:

What businesses are being taken out (by frontage/building to be built)?



Response: Not eliminating any existing businesses.

Ellen Bailey: any public parking? Response: No.

Elaine Lite: This is a bad design, bad location, relocate the project to a better site. Asheville is already thriving; don't need something of this magnitude to draw people downtown.

Bob Carr, for 32 years a business/property owner downtown: questions about development of Lexington and Aston streets, notes that the two corners are controlled by churches, the width of street limited, as well as sidewalk and as such pedestrians may never be an important component of that block.

Mitchell Soren, business owner in Asheville for last 8 years: Issue of parking is a design issue, nothing else; would rather see another story added to building to recognize the pedestrian needs of Lexington and Aston, extra story to allow for more parking and better design at pedestrian level. Concerned about the art program, how that is structured is critical, since developer is asking for variances to UDO how will this be folded into the approval process.

Bernie Byrd, owner of lot under double decker coffee bus/adjacent lot: in favor of Ellington Bldg and acknowledges he is not impartial. Wonders what the impact of this project would be to the future plans/ owner of lot on south side of Aston from this project, who intends to build a high rise there. Citizen input is a critical issue, what do we want downtown to look like in future, what about preserving historical parts of downtown?

Alberice: noted these are the issues will be talked about with Downtown Master Plan.

Scott Riviere, lives within one mile downtown:

This building needs to be considered as a stand-alone, self-supporting building, not considered by how GPI will run it, as the whole impact would shift without GPI component (shuttling employees, offsite laundry, etc).

James Shielder, lives in Asheville:

Key element is the building height, doesn't like what happened in Richmond, VA e.g. 30 years ago, also like Tampa Bay, this may be a major step toward making this place somewhere people don't want to live. are we going to enjoy being a part of this kind of community?

Pat Whalen: is Downtown Commission Chairman however is an owner in the lot proposed to have the Ellington on it:

The reason he agreed to sell this property is the amount of detail this group has given to meeting needs of changing downtown. Asheville is going to grow out, and grow up, needs to grow with smart growth principles, with a potential to be model for country for small cities using smart growth. Affordable housing part of sales contract should not be undervalued. There would be support of local retail by not providing retail (chain

potential) in the hotel. The pedestrian experience is respected and enhanced as the buildings mass is light and thin, not looming.

### **Commission members discussion/motions**

Brandt: this is not in a voting stage. We don't have enough answers yet considering the changes that may need to take place after a vote. Ex. How will the arts program work? No answers to what this will look like. Also, the traffic study is not complete. Would like to make a motion that we are not ready to vote.

Jesse: Seconds Julie's motion.

- We can get a lot more out of the project, especially what we are granting to them. We have set a previous precedent for asking for more from the developer. Voting today would be "premature."

Myers: We've voted on projects before asking for more information.

Alberice: As in any situation where we are considering delaying a vote, we need to provide clear direction to the developer as to what we are asking for.

Plaster: We want Lexington and Aston to incorporate retail.

Monson: Can we clarify that what is being discussed is a motion to delay the final vote.

Brandt: I don't know what the procedure is, but previously we have had information that we do not have here.

Plaster: The most important issue right now is to wait until the traffic study is complete.

Alberice: Repeats that to be fair, we need to be very clear on what we're asking.

Brandt: I have a list...

- Many modification requests from previous meetings could not be met due to construction constraints. But can we remove some parking and incorporate street-level retail. Can we alter the front entrance?
- Would like a 3-D model to see how the project will be integrated into the block.
- Feels that there is ambiguity with the operation of the arts program.
- How will the workforce housing work? Is the housing limited to downtown?
- Would like more detail/consideration of green features. Disappointed with the list provided by the developer.

Summary of list (by Glines and Monson):

1. Reality of retail space on Lexington or Aston?
2. Completion of traffic study
3. Understand arts program better as a trade-off to retail/other options
4. 3-D model

5. Details of the workforce housing program. Are there location/investment constraints?
6. Green features, especially those that will be included as a part of the structure, and not just landscaping.
7. Prices of units
8. Enhancement of entrance from Biltmore Ave.
9. What will signage look like?
10. Landscaping on Lexington and Aston?

Brandt agrees that this is an appropriate list of requested items

Alberice: To Plaster – do you second?

Plaster: Doesn't feel that a list is necessary. Just need to meet with developer again. Not necessary to drag the issue out, but would like at least one more meeting to acquire more information.

Alberice: We still need to be more clear – we can't just ask to meet again. Are we prepared to ask them to come back in two weeks to go over these issues with a Design Committee meeting that will allow us to vote in July? If these items are addressed, can you vote in July? We don't want to come up with another list then.

Butner: Would like two items included in the list, but doesn't know how he would vote on the motion at this time.

11. Would like to see them look at treating the building from the west in a more bleeding towards the sky style.
12. Comment that ultimately Lexington Ave is very constrained by the utilities beneath the street. I would like retail on Aston, but don't believe that retail is possible on Lexington.

These items are acceptable to Brandt. Any commissioner should be able to add their concerns to the list.

Alberice: The service side of the project is on the correct side of the street. If we are asking them to add retail into the design, we need to ask for:

13. Requests that the art be for sale, not just display, ie. It emulates retail.
14. Allow the developer to raise the building one story in order to add a floor of parking in order to accommodate street-level retail.

Plaster: Does not believe that art for sale is an adequate substitute for street-level retail. It doesn't even need to be traditional retail.

Galbraith: "Word of fairness" If we are talking about postponing the vote until July, we don't want a partial list of answers if July is too soon to for them to put answers together.

Glines: From a process standpoint, we can further delay the vote as we get closer to July. Clarification to the Commission that in need not be retail or art, if they can meet the 50% façade UDO requirement by “punching holes” in the parking garage, they could technically just have holes into the parking garage. Thus proposed art may even be better than the 50% façade openings required by the UDO.

VOTE: motion unanimously voted in favor of.

Motion to reinstate Pat as the Chair. Passes unanimously.

### **3. 22 Church Street (Swannanoa Cleaners )Demolition review:**

Dwight moves to allow Peter Alberice to recuse himself from the discussion as his architecture firm is representing the development team/Church for the following item; passes unanimously.

#### **Project Presentation:**

Planning staff member Alan Glines gave a brief staff report, he noted that the Design Review Guidelines are limited to only encouraging rehabilitation over demolition of existing buildings. Like all design review, this demolition review would be mandatory review, voluntary compliance.

Pat Whalen asked staff to clarify that there is no UDO content related to this and staff responded affirmatively.

Peter Alberice gave a PowerPoint presentation on behalf of the owners (Church)/development team. He discussed the site, the history of the site, the surrounding properties and their histories. The redevelopment of this area revolves around the construction of a new Family Life Center by the Methodist church on an adjacent parcel of land. The land where the proposed building to be demolished sits would temporarily be used for parking for Bank of America in a land use swap. The development team has heard concerns from the community regarding the demolition due to the fact that an old church roof is embedded in the existing building's roof and that roof may be part of one of the oldest existing buildings in downtown, therefore this demolition could destroy part of Asheville's oldest history. Alberice showed several photos of the interior of the site and explained that his architectural firm had done extensive investigation of the structure that indicated otherwise. The vast majority of the original church was destroyed in the process of turning the building into a drycleaners in the early 20<sup>th</sup> century, for example any balconies, pulpits, pews no longer exist. The old church roof embedded in the dry cleaners roof and the outline of part of a window opening are the only remnants.

The following project conditions drove the decision of the team to go for a demolition:

- a. Existing building not suitable to meet the program needs of the Family Life Center
- b. BOA parking lot is the site for Family Life Center
- c. BOA will require 39 temporary parking spaces while FLC is under construction.

Alberice provided the following information on the existing building:

- d. Multiple floor levels in the building precluding large spaces on a single floor
- e. Actually several buildings linked together
- f. Sprinkler system in the building, which is required to be operational is not suitable for a renovated building and would need to be replaced
- g. The building is difficult to keep secure because it is not currently occupied. Occupying the building would require extensive renovations.
- h. Contaminated with chemicals and asbestos
- i. Part of the State of NC program to remediate dry cleaning chemical contamination.

Alberice provided a site plan/survey of the existing site, and the proposed site plans for the project, including buffering and landscaping as would be required by UDO. The owners believe this is a valuable piece of property that has redevelopment potential beyond a temporary parking lot and have not yet determined what long term development plans would include, however they have noted that their church would like to extend the services or agendas of the church. They do not want it to become part of a larger development. They are requesting permission to demolish the building. Several steps need to be completed before the demolition. No variations are being requested.

#### **Commission members Comments and Questions:**

Plaster: Has church done an environmental study.

Representative of Church: Yes- on the interior due to chemical contamination and soils.

Plaster: Does the environmental study determine if rehabilitation is possible?

Alberice/Development Team: That study does not, however the building is not suitable for their desired use.

Plaster: Could it be rehabilitated to a different use?

Alberice/Development Team: The state has done soil testing in the area – that building is one of the worst areas due to the dry cleaning chemicals. More engineering needs to be done to determine the environmental remedy – the extent of contamination would determine the use.

Brandt: What is the acreage?

Representative of Church: 5.9 acres.

Julie: Has received some emails that there could be potential historical value to the church. But what is the downtown commission's responsibility to address that possibility?

Jesse: Would you say that most of the historical value has been removed during the renovations made to convert the church into a dry cleaners?

Alberice/Development Team: Yes. Steeple has been removed and many of the exterior walls have been rebuilt in different locations than the original.

Galbraith: There may be a public misperception that the building may have more interior value than it really does. There's a lot of steel – almost an entire new building without much of its original identity.

Whalen: What percentage of original exterior walls still exist?

Alberice/Development Team: Hard to say until we actually take it apart.

Butner: If all the modifications took place as you say, and only the original church elements remained “would the roof cave in?”

Alberice/Development Team: Yes

Butner: Is there any historical value to the roof or trellises that remain from the church from a historical context?

Alberice/Development Team: Depends on how historical you consider the church in relation to the remaining original elements.

Dwight: If you don't have walls, then there is no use for the roof. But if there is value in the roof, then you need to address it.

Whalen: To be clear, this is mandatory review, voluntary compliance. There is a 6 mo. notice – do we need to concern ourselves with that?

Bob Oast: The Historic Resource Commission would address that. The site is within a historical district.

Myers: Is the building listed as a critical or contributing building.?

Plaster: The building is on the inventory of downtown historic properties, listed as a contributing building.

Jennifer Cathy with the State Historic Commission: this property is a contributing building to the downtown historic district. Back when the district was created, this building was determined to have contributing features. It is not a locally designated historic district or a landmark building. She would ask the Commission in its overall ability to consider its value as a historic building and it's potential value.

Historic tax credits would be available in the restoration of this building.

It clearly has structural issues. She has seen many dilapidated building put back into use, and considers this particular building to be an interesting piece. Designed by William Dodge, adding to its significance.

Butner: Is the historical society opposed to tearing down this building?

Cathey: Cannot speak for the historic society.

Bill Westcott, Preservation Engineer: Has never been inside the building, but his first impression is that the roof “has to be held up by something.” It would help everybody if they had an ad hoc group to look at the building in person, for which Bill would volunteer. This would be only the 3<sup>rd</sup> antebellum building left in Asheville so it is worth

taking a closer look at. He requests more consideration and study. Would take two days to look at the building and report back to the commission by the next meeting

Butner: Motion to allow Bill to put together a (3-person) ad hoc committee to look at the building in person and report back to the commission at the next meeting with more detail on historic value and how much of the original building exists.

Plaster: Seconds the motion.

Discussion: Julie would like to hear more public comment; there was none (in addition to Cathey and Bill).

Whalen would like to hear from Alberice/Development team – would the team object to a 30-day delay to this review?

Team does not object to a 30-day delay. There is still much work to be done that will take time that does not require demolition, but it is critical for the church to finalize their agreement with Bank of America; they must be able to assure BOA that a vacant parcel of the land will be available for parking = 30 of 39 parking spaces.

Church representative: If we're only looking at a two-four week delay, then I'm ok with that.

Butner: Since that is not part of the demolition so you don't need our permission. Staff Glines agreed – and noted that the team could submit a level I site review of the vacant portion of the property.

Alberice wants some other Commission member besides himself on the ad hoc committee due to conflict of interest:

Possible ad hoc committee to include

1. Bill Westcott
2. John Rogers
3. Jennifer Cathy

VOTE: remaining Commission members unanimous for Butners motion.

The meeting was adjourned at 1:15 pm

The next regularly scheduled meeting of the Downtown commission will be held on July 13, 2007 at 8:30 am at the Office of Economic Development, 29 Haywood Street in Downtown Asheville.

Minutes prepared by J. Dack, L. Turner and S. Monson